

HOFLAND & TOMSHECK

Joshua Tomsheck, Esq.
State Bar of Nevada No. 009210
josht@hoflandlaw.com
228 South 4th Street, 1st Floor
Las Vegas, Nevada 89101
(702) 895-6760
(702) 731-6910 facsimile
Attorney for Defendant Phillip Allerson Vaughn

**IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

Plaintiffs,

vs.

PHILLIP ALLERSON VAUGHN,

Defendants.

Case No.: 2:14-MJ-00748-VCF

**STIPULATION TO CONTINUE
PRELIMINARY HEARING
(SECOND REQUEST)**

IT IS HEREBY STIPULATED AND AGREED by and between DANIEL COWHIG, Assistant United States Attorney, and KATHRYN NEWMAN, Assistant United States Attorney; And JOSH TOMSHECK, ESQ., counsel for Defendant, PHILLIP VAUGHN; that the preliminary hearing currently scheduled for December 18, 2014 at the hour of 4:00 p.m., be vacated until January 15, 2015 at the hour of 4:00 p.m.

This Stipulation is entered into for the following reasons:

1. The parties are attempting to resolve the case with a pre-indictment plea and require additional time to investigate, negotiate and discuss the terms of the potential plea.

2. Denial of this request for continuance of the preliminary hearing would prejudice Defendant Vaughn and the Government and unnecessarily consume this Court's valuable resources, taking into account the exercise of due diligence.

3. Additionally, denial of this request for continuance could result in a miscarriage of justice.

4. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code §§ 3161(b) and 3161(h)(8)(A), considering the factors under Title 18, United States Code § 3161(h)(8)(B)(I) and (iv).

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2 This is the second request to continue the preliminary hearing date filed herein.
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5 DATED this 17th day of December, 2014.
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7 DANIEL G. BOGDEN
8 UNITED STATES ATTORNEY

9 By:

10 /s/ Dan Cowhig
11 DAN COWHIG, ESQ.
12 Assistant United States Attorney
13

/s/ Kathryn Newman
KATHRYN NEWMAN, ESQ.
Assistant United States Attorney

14 /s/ Josh Tomsheck
15 JOSH TOMSHECK, ESQ.
16 Nevada Bar No. 009210
17 Attorney for Defendant Phillip Allerson Vaughn
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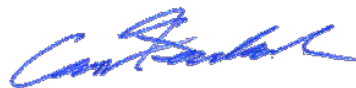
**ORDER CONTINUING
PRELIMINARY HEARING**

Defendants.

Based upon the pending Stipulation of counsel, and good cause appearing therefor, the Court hereby finds that:

IT IS HEREBY ORDERED that the preliminary hearing in the above-captioned matter currently scheduled for December 18, 2014 at 4:00 p.m., be vacated and continued to January 16, 2015 at the hour of 4:00 p.m., courtroom 3D.

18th
DATED AND DONE this ____ day of _____, 2014.



UNITED STATES MAGISTRATE JUDGE

Respectfully Submitted By:

/s/ Josh Tomsheck
Josh Tomsheck, Esq.
Nevada Bar No. 009210
Attorney for Defendant Phillip Allerson Vaughn